AMENDMENT IN RESPONSE TO OFFICE ACTION DATED APRIL 20, 2007 APPLICATION NO. 10/731,085

ATTORNEY DOCKET NO. 1850.0003CON

Amendments to the Claims:

This listing of claims replaces all prior versions, and listings, of claims in this application.

Listing of Claims:

1-15, (Canceled)

16. (Previously Presented) A method of producing a musical performance comprising the

steps of:

accessing a first data structure representing a plurality of musical pieces, wherein the first

data structure includes digital music information that represents musical notes of the musical

pieces, wherein at least one of the musical pieces is comprised of music from a plurality of

instruments stored on respective tracks;

retrieving a second data structure that includes information different from the first data

structure, the second data structure including instructions for selecting from among and

arranging the plurality of musical pieces including arranging music on the respective tracks; and

applying the second data structure to the first data structure to produce the musical

performance, wherein the second data structure is operable to control a plurality of instruments

and music information associated therewith, the music being disposed across a plurality of

channels, and wherein each instrument and its associated music information can be modified

separately by the second data structure.

17. (Previously Presented) The method of producing a musical performance according to

claim 16, wherein the first data structure includes information that conforms to a pre-selected

digital format and wherein the second data structure includes information that does not conform to the pre-selected digital format.

- 18. (Previously Presented) The method of producing a musical performance according to claim 16, wherein the second data structure is a show file.
- 19. (Previously Presented) The method of producing a musical performance according to claim 16, wherein the first data structure includes information that conforms to a MIDI specification.
- 20. (Previously Presented) The method of producing a musical performance according to claim 16, wherein the second data structure is operable to effect at least one of dynamic control, velocity control, and articulation control.
- 21. (Previously Presented) The method of producing a musical performance according to claim 16, further comprising outputting modified MIDI information.
- 22. (Previously Presented) The method of producing a musical performance according to claim 16, wherein at the time of the musical performance both the first and the second data structures are in use.
- 23. (Previously Presented) The method of producing a musical performance according to claim 16, wherein the second data structure comprises at least one of mute maps, volume maps, navigation maps, tap subdivision maps, and hot key maps.
- 24. (Previously Presented) The method of producing a musical performance according to claim 16, wherein the second data structure comprises instructions to control at least one of the

number of times a particular event is to be performed, the number of times the particular event is to be encountered before it activates, and a pattern of event activation.

25. (Previously Presented) The method of producing a musical performance according to

claim 24, further comprising overriding said instructions via external control or from an internal

command.

26. (Previously Presented) The method of producing a musical performance according to

claim 16, wherein a plurality of second data structures are made available to apply to the first

data structure.

27. (Previously Presented) The method of producing a musical performance according to

claim 16, where in the second data structure comprises layered maps that result in a composite

map.

28. (Previously Presented) The method of producing a musical performance according to

claim 27, further comprising recording multiple performances and applying weighting or

averaging techniques to create a resultant map.

29. (Previously Presented) The method of producing a musical performance according to

claim 16, further comprising enabling at least one of tap, cruise and play on the fly.

30. (Previously Presented) The method of producing a musical performance according to

claim 16, further comprising declaring a vamp via the second data structure at any time during

the musical performance by sending a command, such that a number of times that the command

is sent determines the number of measures that the vamp will enclose.

- 31. (Previously Presented) The method of producing a musical performance according to claim 30, further comprising exiting at least one of the vamp and a repeated section of the musical performance by initiating an exit vamp command.
- 32. (Previously Presented) The method of producing a musical performance according to claim 31, further comprising activating a plurality of conditions, defined in the second data structure, as last time through conditions when the exit vamp command is initiated.
- 33. (Previously Presented) The method of producing a musical performance according to claim 16, further comprising generating a map that allows a user to program different tap subdivisions into different portions of a selected piece.
- 34. (Previously Presented) The method of producing a musical performance according to claim 33, further comprising overriding an underlying tap subdivision by issuing a command for a specific tap subdivision.
- 35. (Previously Presented) The method of producing a musical performance according to claim 16, further comprising providing the first data structure to an entity, and further providing a system to the entity that enables the entity to perform the method.
- 36. (Previously Presented) The method of producing a musical performance according to claim 16, further comprising providing a system to an entity that enables the entity to perform the method and allowing the entity to provide the first data structure.
- 37. (Previously Presented) The method of producing a musical performance according to claim 16, further comprising supplying digital files that include musical scores to a plurality of

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entities, wherein the entities subsequently modify the scores to create individualized performances without changing the supplied digital files.

38. (Previously Presented) The method of producing a musical performance according to claim 16, wherein the velocity of a tap release can be applied to an instrument property or properties such that the resultant musical output of a plurality of instruments is modified.

39. (Previously Presented) The method of producing a musical performance according to claim 16, wherein the first and second data structures are stored together in a single file or separately in a plurality of files, and the first and second data structures are extracted at load time.

40. (Previously Presented) The method of producing a musical performance according to claim 39, further comprising storing metaevents as markers within a standard MIDI file, and extracting and decoding the metaevents at load time.

41. (Previously Presented) The method of producing a musical performance according to claim 16, further comprising accepting an external command that allows for a plurality of different events to be activated based on a definition of a hot key.

42. (Previously Presented) The method of producing a musical performance according to claim 16, further comprising creating a map that allows an activity of a particular hot key to change during the performance of a show based on the current location within the show or on other parameters

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43. (Previously Presented) The method of producing a musical performance according to

claim 16, further comprising exiting a vamp immediately or upon arrival at an end of a

predetermined vamped section,

44. (Previously Presented) The method of producing a musical performance according to

claim 16, further comprising, using patch change information within the first data structure to

map into an instrumental definition, such that a plurality of different resultant patch changes can

be output based on a current state of the performance.

45. (Previously Presented) The method of producing a musical performance according to

claim 16, further comprising employing arbitrary measure numbers based on embedded tags

within the first data structure, and using the arbitrary measure numbers to relocate a given

measure.

46. (Previously Presented) The method of producing a musical performance according to

claim 16, further comprising inserting section names within the first data structure such that

display and relocation can use the section names as labels.

47. (Previously Presented) The method of producing a musical performance according to

claim 16, further comprising declaring inertia as an instrumental property such that a resultant

output of volume or other data will change more slowly than a change designated by original

data within the first data structure.

48. (Previously Presented) The method of producing a musical performance according to

claim 16, further comprising allowing a plurality of external events to be accepted as a tap event.

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49. (Currently Amended) The method of producing a musical performance according to

claim 16, further comprising declaring a list of tap patterns, such that the second data structure

can reference these patterns when determining the a correct current tap subdivision within a

performance.

50. (Previously Presented) The method of producing a musical performance according to

claim 16, further comprising defining a map of external commands such that each separate event

on an input is associated with an operable external event of a user's choice.

51. (Previously Presented) The method of producing a musical performance according to

claim 50, further comprising storing a plurality of personalized input keyboard maps such that

each user can have a different keyboard layout when performing a given show.

52. (Previously Presented) A method of reusing a MIDI file in the course of generating a

musical performance, comprising the steps of:

retrieving a MIDI file;

applying a first show file to the MIDI file to produce a first modified musical output; and

applying a second show file to the MIDI file to produce a second modified musical

output:

wherein the first and second show files include at least one command that modifies at

least one of a pitch associated with the musical output, establishes a vamp during the playing of

the musical output and modifies a tempo associated with the musical output.

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wherein the same MIDI file is employed to produce both the first modified musical

output and the second modified musical output at the time of the musical performance.

wherein the MIDI file remains intact such that it is itself not modified, and

wherein the first modified musical output is different from the second modified musical

output.

53. (Previously Presented) The method of claim 52, wherein the first and second show

files include at least one map.

54. (Previously Presented) The method of claim 52, wherein the first and second show

files include at least one group.

55. (Previously Presented) The method of claim 52, wherein the first and second show

files include at least one command that changes a play sequence order of the MIDI file.

56. (Previously Presented) The method of claim 52, wherein the first and second show

files include at least one command that changes a playback mode among a play mode, a tap

mode or a cruise mode.

57. Cancelled.

58. (Previously Presented) The method of claim 52, further comprising generating a map

that contains commands for an instrument or group of instruments to join or quit any other group

of instruments, either at a specific metric time point, over a pattern of encounters of that metric

time point or region thereof, or by activation from an external command.

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59. (Previously Presented) The method of claim 52, further comprising declaring an instrument that can precisely control external devices, including at least one of light boards and video projectors, so that the external devices are synchronous with an underlying metric structure, and can be modified using the same mapping techniques applied to defined MIDI instruments.

- 60. (Previously Presented) The method of claim 52, further comprising labeling every measure with an arbitrary measure identifier, so that a numbering convention of an original hard copy score can be used without needing to alter that score,
- 61. (Previously Presented) The method of claim 52, further comprising identifying at least one mistake and emendation in the MIDI file, and providing an updated MIDI file that is subsequently used in the retrieving step,
- 62. (Previously Presented) The method of claim 52, further comprising declaring a selected instrument as nontransposing such that any general transpose event sent to that instrument will be ignored by any data belonging to that instrument.
- 63. (Previously Presented) The method of claim 52, further comprising providing the MIDI file to an entity, and further providing a system to the entity that enables the entity to perform the method.
- 64. (Previously Presented) The method of claim 52, further comprising supplying MIDI files that include musical scores to a plurality of entities, wherein the entities subsequently

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modify the scores to create the first and second modified musical outputs without changing the supplied MIDI files.

65. (Cancelled).